# UNITED STATES DISTRICT COURT

|                                                                                                                                                    | for the                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Western D                                                                                                                                          | District of Texas                                                                                                                                                                                                                                                        |
| MORGAN HOWARTH                                                                                                                                     | )<br>)<br>)                                                                                                                                                                                                                                                              |
| Plaintiff(s)  v.  SOUTHERN PAINTING, INC., MARK COLLINS, individually, and SCOTT GROSS, individually and d/b/a SOUTHERN PAINTING — AMARILLO OFFICE | ) Civil Action No. 1:23-cv-01485 ) ) )                                                                                                                                                                                                                                   |
| Defendant(s)                                                                                                                                       | )                                                                                                                                                                                                                                                                        |
| SUMMONS II                                                                                                                                         | N A CIVIL ACTION                                                                                                                                                                                                                                                         |
| To: (Defendant's name and address) Mark Collins 139 Golden Sunset Trail Fredericksburg, Texas 78                                                   | 3624                                                                                                                                                                                                                                                                     |
| A lawsuit has been filed against you.                                                                                                              |                                                                                                                                                                                                                                                                          |
| are the United States or a United States agency, or an off P. 12 (a)(2) or (3) — you must serve on the plaintiff an a                              | you (not counting the day you received it) — or 60 days if you ficer or employee of the United States described in Fed. R. Civ. nswer to the attached complaint or a motion under Rule 12 of tion must be served on the plaintiff or plaintiff's attorney,  Second Floor |
| If you fail to respond, judgment by default will be You also must file your answer or motion with the court.                                       | be entered against you for the relief demanded in the complaint.                                                                                                                                                                                                         |
|                                                                                                                                                    | CLERK OF COURT                                                                                                                                                                                                                                                           |
| 10/06/0000                                                                                                                                         |                                                                                                                                                                                                                                                                          |
| Date: 12/06/2023                                                                                                                                   | Signature of Clerk or Deputy Clerk                                                                                                                                                                                                                                       |

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.

#### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

| was re | ceived by me on (date)                                                  | ·                                  |                                          |              |  |
|--------|-------------------------------------------------------------------------|------------------------------------|------------------------------------------|--------------|--|
|        | ☐ I personally served the summons on the individual at (place)          |                                    |                                          |              |  |
|        |                                                                         |                                    | on (date)                                | ; or         |  |
|        | ☐ I left the summons                                                    | at the individual's residence or u | usual place of abode with (name)         |              |  |
|        |                                                                         | , a perso                          | n of suitable age and discretion who res | sides there, |  |
|        | on (date), and mailed a copy to the individual's last known address; or |                                    |                                          |              |  |
|        | ☐ I served the summo                                                    | ons on (name of individual)        |                                          | , who is     |  |
|        | designated by law to a                                                  | accept service of process on beha  |                                          |              |  |
|        |                                                                         |                                    | on (date)                                | ; or         |  |
|        | ☐ I returned the summ                                                   | nons unexecuted because            |                                          | ; or         |  |
|        | ☐ Other (specify):                                                      |                                    |                                          |              |  |
|        | My fees are \$                                                          | for travel and \$                  | for services, for a total of \$          | 0.00         |  |
|        | I declare under penalty                                                 | y of perjury that this information | is true.                                 |              |  |
| Date:  |                                                                         |                                    |                                          |              |  |
|        |                                                                         |                                    | Server's signature                       |              |  |
|        |                                                                         |                                    | Printed name and title                   |              |  |
|        |                                                                         |                                    | Server's address                         |              |  |

Additional information regarding attempted service, etc:

## UNITED STATES DISTRICT COURT

|                                                                                                                                                  | for the                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| Western Di                                                                                                                                       | istrict of Texas                                                |
| MORGAN HOWARTH                                                                                                                                   | )<br>)<br>)                                                     |
| Plaintiff(s) v. SOUTHERN PAINTING, INC., MARK COLLINS, individually, and SCOTT GROSS, individually and d/b/a SOUTHERN PAINTING — AMARILLO OFFICE | ) Civil Action No. 1:23-cv-01485 ) ) )                          |
| Defendant(s)                                                                                                                                     | )                                                               |
| SUMMONS IN                                                                                                                                       | NA CIVIL ACTION                                                 |
| To: (Defendant's name and address) Scott Gross d/b/a Southers 2316 Lakeview Drive Amarillo, Texas 79109                                          | n Painting-Amarillo Office                                      |
| A lawsuit has been filed against you.                                                                                                            |                                                                 |
| are the United States or a United States agency, or an office                                                                                    |                                                                 |
| If you fail to respond, judgment by default will be You also must file your answer or motion with the court.                                     | e entered against you for the relief demanded in the complaint. |
|                                                                                                                                                  | CLERK OF COURT                                                  |
| Date: 12/06/2023                                                                                                                                 |                                                                 |
|                                                                                                                                                  | Signature of Clerk or Deputy Clerk                              |

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.

#### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

| was re | ceived by me on (date)                                                  | ·                                  |                                          |              |  |
|--------|-------------------------------------------------------------------------|------------------------------------|------------------------------------------|--------------|--|
|        | ☐ I personally served the summons on the individual at (place)          |                                    |                                          |              |  |
|        |                                                                         |                                    | on (date)                                | ; or         |  |
|        | ☐ I left the summons                                                    | at the individual's residence or u | usual place of abode with (name)         |              |  |
|        |                                                                         | , a perso                          | n of suitable age and discretion who res | sides there, |  |
|        | on (date), and mailed a copy to the individual's last known address; or |                                    |                                          |              |  |
|        | ☐ I served the summo                                                    | ons on (name of individual)        |                                          | , who is     |  |
|        | designated by law to a                                                  | accept service of process on beha  |                                          |              |  |
|        |                                                                         |                                    | on (date)                                | ; or         |  |
|        | ☐ I returned the summ                                                   | nons unexecuted because            |                                          | ; or         |  |
|        | ☐ Other (specify):                                                      |                                    |                                          |              |  |
|        | My fees are \$                                                          | for travel and \$                  | for services, for a total of \$          | 0.00         |  |
|        | I declare under penalty                                                 | y of perjury that this information | is true.                                 |              |  |
| Date:  |                                                                         |                                    |                                          |              |  |
|        |                                                                         |                                    | Server's signature                       |              |  |
|        |                                                                         |                                    | Printed name and title                   |              |  |
|        |                                                                         |                                    | Server's address                         |              |  |

Additional information regarding attempted service, etc:

### UNITED STATES DISTRICT COURT

for the Western District of Texas MORGAN HOWARTH Plaintiff(s) Civil Action No. 1:23-cv-01485 SOUTHERN PAINTING, INC., MARK COLLINS, individually, and SCOTT GROSS, individually and d/b/a SOUTHERN PAINTING - AMARILLO OFFICE Defendant(s) SUMMONS IN A CIVIL ACTION Southern Painting, Inc. To: (Defendant's name and address) 139 Golden Sunset Trail Fredericksburg, Texas 78624 A lawsuit has been filed against you. Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are. Buck McKinney whose name and address are: Amini & Conant LLP 1204 San Antonio Street, Second Floor Austin, Texas 78701 If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court. CLERK OF COURT 12/06/2023 Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.

#### PROOF OF SERVICE

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| was rec | This summons for (no ceived by me on (date) | ame of individual and title, if an |                                                 |             |
|---------|---------------------------------------------|------------------------------------|-------------------------------------------------|-------------|
|         | ☐ I personally serve                        | d the summons on the ind           | ividual at (place)                              |             |
|         |                                             |                                    | on (date)                                       | ; or        |
|         | ☐ I left the summon                         |                                    | ence or usual place of abode with (name)        | .1 4        |
|         |                                             |                                    | a person of suitable age and discretion who res | ides there, |
|         | on (date)                                   | , and mailed a                     | copy to the individual's last known address; or |             |
|         | ☐ I served the summ                         | nons on (name of individual)       |                                                 | , who is    |
|         | designated by law to                        | accept service of process          | s on behalf of (name of organization)           | <u> </u>    |
|         |                                             |                                    | on (date)                                       | ; or        |
|         | ☐ I returned the sum                        | nmons unexecuted because           | e                                               | ; or        |
|         | ☐ Other (specify):                          |                                    |                                                 |             |
|         | My fees are \$                              | for travel and \$                  | for services, for a total of \$                 | 0.00        |
|         | I declare under penal                       | ty of perjury that this info       | ormation is true.                               |             |
| Date:   |                                             | _                                  |                                                 |             |
|         |                                             |                                    | Server's signature                              |             |
|         |                                             | _                                  | Printed name and title                          |             |
|         |                                             | _                                  | Server's address                                |             |

Additional information regarding attempted service, etc: